

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOFIA VASQUEZ, HERMENEGILDO CANDIA, and
MAIRA NARANJO,

Plaintiffs,

-v-

NUEVO TULCINGO AZTECA CORP. d/b/a NUEVO
AZTECA, GILBERTO MOLINA, and ANGEL MOLINA,

Defendants.

CIVIL ACTION NO. 23 Civ. 355 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On December 19, 2024, the parties in this action, which contains one or more claims arising under the Fair Labor Standards Act, notified the Court they had reached a settlement in principle. (ECF No. 53). In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **Monday, January 20, 2025**. It should address the claims and defenses, the defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiffs' case and the defendants' defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended

(including billing records and costs documentation). Finally, a copy of the settlement agreement itself—as well as proof, if applicable, that the agreement was translated into Plaintiff’s primary language—must accompany the Letter-Motion. The parties are reminded that they may consent to magistrate jurisdiction for purposes of Cheeks approval.

Dated: New York, New York
December 20, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge